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SCHMITT SOHNE, INC. and
SCHMITT SÖHNE GMBH WEINKELLEREI

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

CAIN CELLARS, INC., a California
corporation,
Plaintiff and
Counterclaim-Defendant,
vs.

SCHMITT SOHNE, INC., a Georgia
corporation, SCHMITT SÖHNE GMBH
WEINKELLEREI, a Federal Republic of
Germany limited liability company, and
DOES 1-25,

Defendants and
Counterclaim-Plaintiffs.

Case No.: C 12-00753 YGR

**STIPULATION DISMISSING ACTION
WITH PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and Civil Local Rule 7-12, the parties hereto, by their attorneys of record, hereby stipulate to dismiss the instant action, including all claims and counterclaims, with prejudice and without costs or fees to either party.

Dated: December 21, 2012

HARVEY SISKIND LLP
D. PETER HARVEY
NAOMI JANE GRAY

THE TAILLIEU LAW FIRM
RAFFI ZEROUNIAN

By: /s/
Naomi Jane Gray

Attorneys for Plaintiff and Counterclaim-Defendant
CAIN CELLARS, INC.

Dated: December 21, 2012

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SCHMITT SOHNE, INC. and
SCHMITT SÖHNE GMBH WEINKELLEREI

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 3, 2013


YVONNE GONZALES ROGERS
UNITED STATES DISTRICT COURT JUDGE